THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.7155 OF 2006

BETWEEN:

Vethantha Trust rep. by its General Secretary K.Vijaya Bharathi

…Petitioner

vs.

The Station House Officer, PS Saidabad, Hyderabad and two others

..Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.7155 OF 2005

ORAL ORDER

The petitioner-Trust lodged a complaint on 15-02-2006 alleging commission of certain specified cognizable offences by three individuals. Crime No.75 of 2005 was accordingly registered on 17-02-2005. Complaining that no worthwhile investigation was pursued in Crime No.75 of 2005 and alleging that the petitioner has lost confidence in the State police and seeking investigation by the C.B.I, the writ petition is filed.

A counter-affidavit was filed by the 1st respondent. It is stated that five witnesses were so far examined and during the course of investigation it is revealed that the reasons for the petitioner's suspecting the persons specified in her complaint is that they are mentally and physically harassing her and her brother, Mr.K.C.Raghunath Reddy, by filing civil cases in the Court in respect of the landed property which are pending since several years. The answering respondent states that three suspects were summoned and their statements recorded but no information was forthcoming substantiating the allegation of their involvement in the offence complained of. It is also stated that while so the petitioner filed a representation on 10-11-2005 before the answering respondent stating that they are pursuing mediation by elders and that the investigation should be kept in abeyance. A copy of the letter dated.10-11-2005 is also enclosed to the writ petition. The counter-affidavit of the 1st respondent ends with the statement that he would complete the investigation at the earliest and file a final report before the concerned

court. The allegation of the petitioner that the police had colluded with the accused and trying to destroy the evidence is categorically denied.

As is apparent, the petitioner was mediating with the accused and did file a representation on 10-11-2005 to keep the investigation in abeyance. When information as to the commission of a cognizable offence is conveyed to the police and the crime is registered as an offence against the State and the police cannot act as a catalyst of private mediation nor does the inexorable process of law go into eclipse because the citizens want to settle with others accused of cognizable delinquency. Cognizable offences are those, which are offences against a State and the State has a vital interest in pursuing investigation into the allegation of commission of a cognizable offence to the logical conclusion and with utmost expedition. It is not clear why the 1st respondent considered it relevant to have received or entertained the representation by the petitioner dated.10-11-2005. The counter-affidavit is ambivalent as to whether the investigation was kept abeyance as requested by the petitioner.

In the totality of the circumstances the respondent shall expeditiously conclude investigation into Cr.No.75 of 2005 and file a final report before the concerned court, within a period of four months from today.

The writ petition is disposed of as above. In the circumstances no order as to costs.

GODA RAGHURAM,J

15th NOVEMBER 2006
***TSNR**